

REMARKS

This amendment and these remarks are responsive to the Office action dated August 26, 2002. In the Office action, the Examiner restricted the above-identified patent application, stating that the claims are directed to eight (8) inventions and seven (7) patentably distinct species. The Examiner requested election of one invention and one member of each relevant species for further prosecution. In response, applicants elect, without traverse, (1) invention Group VI, claims 29-30, (2) species "receptor" from the "activation target group," and (3) species "cAMP" from the "cyclic nucleotide group," for further prosecution in this application. These elections, and the associated amendments, are discussed below in detail.

Restriction Requirement

The Examiner restricted the above-identified patent application into eight distinct inventions, requiring election of one of the following groups of claims for prosecution in this application:

Group	Claims	Comments
I	1-12, 16	Method for detecting activation of a receptor
II	13-14	Nonpeptide luminescently labeled tracer comprising a luminophore coupled to a nonhydrolyzable guanosine triphosphate (GTP γ -S)
III	15	Measuring the concentration of the activated form of a 7-transmembrane-spanning domain receptor
IV	17-21	Nonpeptide luminescently labeled tracer comprising a luminophore coupled to a cyclic nucleotide
V	22-28	Determining the concentration of a cyclic nucleotide
VI	29-30	Method of identifying a compound as a modulator of a receptor or enzyme that generates a cyclic nucleotide
VII	31-34	Kit
VIII	35	Lysis buffer and kits comprising same

In response, applicants hereby elect, without traverse, Group VI, claims 29-30, for prosecution in this application. Applicants have canceled, without prejudice, the remaining claims in the application, reserving their right to pursue these claims in a subsequent continuation application.

Election Requirement

The Examiner required an election, in connection with Group VI, of one species each from an "activation target group" and a "cyclic nucleotide group," as follows:

Categories	Species Members
Activation target group	Enzyme Extracellular receptor Receptor
Cyclic nucleotide group	cAMP cGMP

Applicants believe that the elected invention includes generic claims that cover the enumerated species as well as additional species not listed by the Examiner. Moreover, applicants believe that members of the activation target group may overlap (e.g., in at least some cases, a "receptor" also may be an "extracellular receptor" and/or an "enzyme"). Nevertheless, in response, applicants hereby elect, without traverse, species "receptor" from the "activation target group," and species "cAMP" from the "cyclic nucleotide group," for prosecution with invention group VI. Applicants reserve their right to ask the Patent Office to consider pending and/or additional claims to other species, including species not listed by the Examiner, should a generic claim be allowed.

* The Examiner identified five additional species groups – (1) binding partner group, (2) nucleotide group, (3) receptors/enzymes group, (4) rigid coupling group, and (5) tracer group – but did not require an election within these groups in conjunction with invention Group VI, claims 29-30.

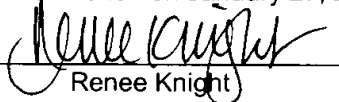
Amendments

Applicants have amended the claims in Group VI, canceling original claims 29-30, and adding new claims 36-57. The new claims, which are supported by the original claims and the specification, eliminate direct and indirect references to claims 22 and 17 that appeared in original claim 29.

Please contact applicants' undersigned attorney if you have any questions or comments, or should any other issues need addressing prior to examination of the elected claims.

CERTIFICATE OF MAILING

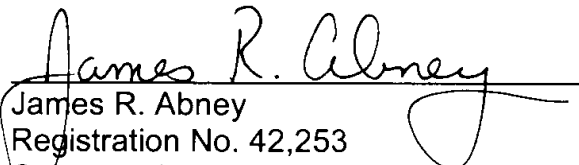
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on January 27, 2003.


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Respectfully submitted,

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